

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANGEL MALDONADO,	:	
	:	
Petitioner,	:	CIVIL ACTION
v.	:	
	:	
TINA WALKER,	:	No. 23-2850
et al.,	:	
	:	
Respondents.	:	

JOINT STATUS REPORT

The parties, through undersigned counsel, respectfully submit the following joint status report pursuant to this Court’s Order issued on September 26, 2023:

1. Petitioner is serving a sentence of life imprisonment in Pennsylvania. He filed a pro se federal habeas petition in July 2023. *See* ECF No. 1; *see also* ECF No. 5 (pro se memorandum of law, filed in August 2023). The petition arose from convictions for two counts of first-degree murder and related charges after Petitioner’s trial with a codefendant in April and May 2010. *See* ECF No. 5, Page 13.¹

2. On August 10, 2023, this Court ordered the Commonwealth to file an answer to the petition and the Clerk for the Court of Common Pleas of Philadelphia County to “file with the Clerk of this Court copies of all records . . . of state court

¹ The parties cite page numbers created by the ECF docketing system, rather than internal page numbers.

proceedings in the matters of Commonwealth v. Maldonado, Court of Common Pleas of Philadelphia County, CP-51-CR-0011255-2007, and CP-51-CR-0011234-2007, within forty-five (45) days.” ECF No. 6, Page 1 (emphasis omitted).

3. Later that month, Petitioner filed motions to compel the production of discovery materials pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and to appoint counsel. See ECF No. 8; ECF No. 10. The Commonwealth responded by explaining, in part, that it had provided a set of “police misconduct disclosures that need[ed] to be made to [Petitioner]” based on a “routine police misconduct disclosure check,” ECF No. 11, Page 2, and that it would disclose “any other *Brady* material” it might discover when conducting a “full review of the file,” “consistent with [its] ethical duty,” ECF No. 11, Page 2.

4. On September 21, 2023, this Court appointed the Federal Community Defender Office for the Eastern District of Pennsylvania to represent Petitioner and denied Petitioner’s motion to compel without prejudice to counsel re-filing such a motion. See ECF No. 13, Page 1.

5. On September 24, 2023, the Commonwealth moved to suspend this Court’s then-pending briefing schedule to allow Petitioner “to engage in open-file discovery . . . with his appointed counsel” and to “meaningfully pursue his claims, prepare the appropriate legal arguments, and amend his habeas petition as needed.” ECF No. 14, Page 2. Counsel for Petitioner and the Commonwealth also began conferring.

6. This Court granted the Commonwealth's motion on September 26, 2023, suspended the briefing schedule, and ordered Respondents to file joint status reports every thirty days. ECF No. 16, Page 1.

7. The parties are continuing to engage in discovery. Petitioner's counsel previously completed two trips to the District Attorney's Office to review and scan physical documents within the files associated with this case, after which the District Attorney's Office provided a set of scans to counsel. Last week, the District Attorney's Office provided a separate set of compact discs containing digital materials that counsel requested during the previous two trips. Because the District Attorney's Office's files are voluminous and counsel has been unable to locate certain materials that have been the subject of litigation, counsel is working with the District Attorney's Office to find a mutually agreeable time to complete an additional trip to review the files and to request additional scanned documents. Counsel has also provided additional information for the District Attorney's Office to conduct a new search for any police misconduct disclosures that are relevant to this case.

8. Based on Petitioner's counsel's ongoing review of the available record and discovery materials, counsel is also moving forward with investigation that counsel believes is necessary before setting a briefing schedule.

9. The parties jointly request that the briefing schedule remain suspended to allow this discovery and investigation to continue. The parties will file another joint

status report in thirty days to keep this Court apprised of this ongoing work and these ongoing processes.

Respectfully submitted,

/s/ Jaclyn Mason

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Date: January 24, 2024

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing status report was served on counsel of record via this Court's CM/ECF e-filing system.

/s/ Jaclyn Mason